



STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

## License for Diversion and Use of Water

APPLICATION 15717

PERMIT 12670

LICENSE 10216

THIS IS TO CERTIFY, That

PACIFIC GAS AND ELECTRIC COMPANY  
245 MARKET STREET, SAN FRANCISCO, CALIFORNIA 94105

HAS made proof as of OCTOBER 1, 1968 (the date of inspection)  
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of  
MC CLOUD RIVER IN SHASTA COUNTY

tributary to SHASTA LAKE THENCE SACRAMENTO RIVER

for the purpose of POWER AND INCIDENTAL DOMESTIC USES  
under Permit 12670 of the Board and that the right to the use of this water has been perfected  
in accordance with the laws of California, the Regulations of the Board and the permit terms; that the  
priority of this right dates from FEBRUARY 5, 1954 and that the amount of water to which  
this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated  
purposes and shall not exceed THIRTY-FIVE THOUSAND THREE HUNDRED (35,300) ACRE-FEET PER  
ANNUM, TO BE COLLECTED FROM OCTOBER 1 OF EACH YEAR TO JULY 1 OF THE SUCCEEDING  
YEAR. THE MAXIMUM WITHDRAWAL IN ANY ONE YEAR SHALL NOT EXCEED 18,900 ACRE-FEET

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

MC CLOUD DIVERSION DAM - SOUTH 74° 17' EAST 3,443.50 FEET FROM NW CORNER OF NW1/4  
OF SECTION 27, T38N, R2W, MDB&M, BEING WITHIN NW1/4 OF NE1/4 OF SAID SECTION 27.

THE POINTS OF REDIVERSION OF SUCH WATER ARE LOCATED:

IRON CANYON DAM - NORTH 77° 52' EAST 755.68 FEET FROM SW CORNER OF SW1/4 OF  
SECTION 21, T37N, R1W, MDB&M, BEING WITHIN SW1/4 OF SW1/4 OF SAID SECTION 21,  
PIT 6 DAM - SOUTH 50° 42' WEST 1,458.95 FEET FROM NE CORNER OF SECTION 16, T35N,  
R1W, MDB&M, BEING WITHIN NE1/4 OF NE1/4 OF SAID SECTION 16 AND  
PIT 7 DAM - SOUTH 10° 59-1/2' WEST 1,671.13 FEET FROM NE CORNER OF SECTION 32, T35N,  
R1W, MDB&M, BEING WITHIN SE1/4 OF NE1/4 OF SAID SECTION 32.

A DESCRIPTION OF LANDS OR THE PLACE WHERE  
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

MC CLOUD-PIT POWER HOUSE - WITHIN NE1/4 OF NW1/4 OF SECTION 16, T36N, R1W, MDB&M.  
PIT 6 POWER HOUSE - WITHIN NE1/4 OF NE1/4 OF SECTION 16, T35N, R1W, MDB&M.  
PIT 7 POWER HOUSE - WITHIN SE1/4 OF NE1/4 OF SECTION 32, T35N, R1W, MDB&M.

LICENSEE SHALL RELEASE PAST ITS POINT OF DIVERSION ON THE MC CLOUD RIVER  
UNDER THIS LICENSE AND LICENSE ISSUED PURSUANT TO APPLICATION 14785 AN AMOUNT  
OF WATER NOT LESS THAN 50 CUBIC FEET PER SECOND FROM MAY THROUGH NOVEMBER, AND  
40 CUBIC FEET PER SECOND FROM DECEMBER THROUGH APRIL FOR MAINTENANCE OF FISH LIFE.

Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.

All rights and privileges under this license, including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

~~This continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to minimizing waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement such programs as (1) reusing or reclaiming the water allocated, (2) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow, (3) suppressing evaporation losses from water surfaces, (4) controlling phreatophytic growth, and (5) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.~~

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: APR 8 1974

STATE WATER RESOURCES CONTROL BOARD

R. A. Rosenberger  
Chief, Division of Water Rights

LICENSEE SHALL MAKE ADDITIONAL RELEASES OF WATER FROM THE MCCLOUD DIVERSION DAM TO THE MCCLOUD RIVER TO THE EXTENT NECESSARY TO MAINTAIN THE FOLLOWING MINIMUM FLOWS AT THE AH-DI-NA STREAM GAGING STATION WITHIN SW1/4 OF SECTION 33, T38N, R2W, MDB&M:

MINIMUM FLOWS AT AH-DI-NA  
IN CUBIC FEET PER SECOND

	<u>NORMAL YEAR</u>	<u>DRY YEAR *</u>
JANUARY	160	160
FEBRUARY	160	160
MARCH	170	170
APRIL	170	170
MAY 1-15	170	160
MAY 16-31	200	160
JUNE	200	160
JULY	200	160
AUGUST	200	160
SEPTEMBER	210	180
OCTOBER	210	180
NOVEMBER	210	180
DECEMBER 1-15	210	180
DECEMBER 16-31	170	170

\*A DRY YEAR IS HEREBY DEFINED AS ONE IN WHICH THE CALIFORNIA DEPARTMENT OF WATER RESOURCES APRIL FORECAST OF THE APRIL-JULY RUNOFF OF THE MCCLOUD RIVER INTO SHASTA LAKE IS 300,000 ACRE-Feet OR LESS, EXCEPT THAT NOT MORE THAN 2 YEARS IN SUCCESSION SHALL BE CONSIDERED DRY REGARDLESS OF FORECAST.

THE AMOUNTS WHICH MAY BE DIVERTED UNDER RIGHTS ACQUIRED UNDER THIS LICENSE ARE, AND SHALL REMAIN, SUBJECT TO REDUCTION BY FUTURE APPROPRIATIONS OF WATER FOR REASONABLE BENEFICIAL USE FOR DOMESTIC, IRRIGATION AND MUNICIPAL PURPOSES WITHIN THE WATERSHED TRIBUTARY TO THE MCCLOUD RIVER DIVERSION DAM.

LICENSEE SHALL, AT ITS OWN EXPENSE, MAINTAIN AND OPERATE THE NECESSARY WATER MEASURING DEVICES TO OBTAIN FLOW RECORDS AS HEREINAFTER SET FORTH, SHALL MAINTAIN NECESSARY ACCESS ROADS, BRIDGES, ETC., AND SHALL ALLOW THE STATE WATER RESOURCES CONTROL BOARD AND THE CALIFORNIA DEPARTMENT OF FISH AND GAME REASONABLE ACCESS FOR THE PURPOSE OF GATHERING INFORMATION AND DATA RELATIVE TO STREAM FLOW. THE LOCATION AND TYPE OF DEVICES SHALL BE SUBJECT TO THE APPROVAL OF THE STATE WATER RESOURCES CONTROL BOARD. ALL RECORDS, EXCEPT AS OTHERWISE PROVIDED, ARE TO BE DAILY RECORDS IN CONFORMITY WITH UNITED STATES GEOLOGICAL SURVEY STANDARDS. PROJECT FACILITIES REFERRED TO HEREUNDER ARE THOSE SHOWN ON MAP OF PACIFIC GAS AND ELECTRIC COMPANY ENTITLED, "PLAN AND PROFILE, MCCLOUD-PIT DEVELOPMENT, FILED WITH DIVISION OF WATER RESOURCES (1954)", DRAWING NO. 416209, ON FILE WITH STATE WATER RESOURCES CONTROL BOARD. THE WATER MEASURING DEVICES MENTIONED SHALL BE MAINTAINED AT SUCH LOCATIONS AND IN SUCH A MANNER THAT THE FOLLOWING RECORDS WILL BE OBTAINED:

- (A) FLOW OF MCCLOUD RIVER IMMEDIATELY DOWNSTREAM FROM MCCLOUD DIVERSION DAM
- (B) FLOW OF MCCLOUD RIVER IMMEDIATELY UPSTREAM FROM THE HIGH WATER LINE OF MCCLOUD DIVERSION RESERVOIR; PROVIDED, HOWEVER, THAT A GAGE AT THIS LOCATION IS NOT REQUIRED SO LONG AS THE UNITED STATES GEOLOGICAL SURVEY GAGE "MCCLOUD RIVER NEAR MCCLOUD, CALIFORNIA", IS MAINTAINED AND OPERATED AND RECORDS OF FLOW ARE AVAILABLE FROM THAT AGENCY.
- (C) QUANTITY OF WATER DIVERTED FROM MCCLOUD RIVER INTO MCCLOUD TUNNEL.
- (D) QUANTITY OF WATER IN STORAGE IN THE MCCLOUD RIVER DIVERSION RESERVOIR ON THE FIRST DAY OF EACH MONTH.

THE AFOREMENTIONED RECORDS SHALL BE FILED ANNUALLY WITH THE STATE WATER RESOURCES CONTROL BOARD, OR MORE FREQUENTLY ON REQUEST OF THE BOARD, DURING THE LIFE OF THIS LICENSE.



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ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

$$\frac{1}{K} \sum_{k=1}^K \mathbb{E}_{\mathbf{z} \sim \mathcal{D}} \left[ \frac{1}{N} \sum_{i=1}^N \ell(\mathbf{z}_i, \mathbf{y}_i) \right] = \mathbb{E}_{\mathbf{z} \sim \mathcal{D}} \left[ \frac{1}{N} \sum_{i=1}^N \ell(\mathbf{z}_i, \mathbf{y}_i) \right]$$
[illegible][illegible][illegible]